S.B.CIVIL WRIT PETITION NO. 4364/2004

Jyani Devi Vs. State of Rajasthan & Ors.

DATE OF ORDER :: 6.8.2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. H.S.Sidhu, for the petitioner.
Mr. Rameshwar Dave, Dy. Govt. Advocate.

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The facts involved in this petition for writ are quite akin to the facts involved in the petition filed earlier by the petitioner bearing SBCW No.1984/2006 decided on 24.7.2007. Accordingly, this petition for writ is also disposed of in the terms of the judgment referred above.

The writ petition is allowed. The order impugned dated 21.4.2004 passed by the Executive Engineer, Irrigation Division-II, Hanumangarh and the order dated 2.9.2004 passed by the Superintending Engineer, Irrigation Circle, Hanumangarh Junction, Hanumangarh are quashed. The respondent No.2 is directed to decide the matter afresh by affording an opportunity of hearing to the petitioner. For the purpose, the petitioner shall present herself in person before the respondent No.2 on 5.9.2007 and on the same day explain the circumstances relating to the matter to the respondent No.2. The respondent No.2 shall decide the dispute in accordance with law within a period of one month thereafter.

(GOVIND MATHUR),J.

jgoyal